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FM AMEMBASSY MANILA  
TO RUEHC/SECSTATE WASHDC PRIORITY 2390  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY  
RHHMUNA/CDRUSPACOM HONOLULU HI PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAIIA/CIA WASHDC PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 MANILA 003321

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E.O. 12958: DECL: 08/08/2016

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SUBJECT: MINDANAO'S INDIGENOUS PEOPLES OPPOSE BANGSAMORO  
JURIDICAL ENTITY

REF: MANILA 2013

Classified By: Pol/C Scott Bellard for reasons 1.4 (b) and (d).

¶1. (C) Summary. Leaders and representatives of indigenous peoples (Lumads) from throughout Mindanao gathered in Bukidnon Province July 24-26 to proclaim strong opposition to the inclusion of their ancestral lands in a Bangsamoro Juridical Entity. This stance will further complicate the already tricky negotiations over ancestral domain between the GRP and the Moro Islamic Liberation Front (MILF). End Summary.

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Indigenous Peoples Unite  
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¶2. (U) Leaders and representatives of 18 tribes and 8 sub-tribes from throughout Mindanao -- including ethnic B'laan leader/MILF Peace Panel Technical Committee member Datu Antonio Kinoc from Davao Del Sur -- gathered in Bukidnon Province (northern Mindanao) July 24-26 to attend the first-ever "Mindanao Indigenous Peoples' Summit." A non-governmental organization -- "Panatagbo Mindanao," headed by Datu Migketay Saway -- reportedly sponsored the Summit, with support from the National Commission for Indigenous Peoples.

¶3. (SBU) In a joint statement (text in para 8), 107 participants proclaimed their strong opposition to the inclusion of their ancestral lands in a proposed new Bangsamoro Juridical Entity. They noted that "many of us, the Indigenous Peoples/Indigenous Cultural Communities, had undergone sad experiences and relationships against our Moro Brothers because of several incidences of attacks in our communities that resulted to the death of our constituents and these conflicts remained unsettled until today."

¶4. (C) According to Congressman Nereus Acosta from the 1st District of Bukidnon Province, the issue of ancestral domain under discussion in the peace talks between the GRP and the MILF has tapped a reservoir of historical antipathy among Christians, Muslims, and indigenous peoples (Lumads). Acosta, who serves as Vice Chairman of Congress' Committee on Natural Resources, explained that indigenous peoples account for at least 40 per cent of the total population in Bukidnon -- a province with rich agricultural lands and undeveloped natural resources.

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MILF downplays problems  
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¶5. (C) MILF Peace Panel Secretariat Head Jun Matawil downplayed the potential impact of the unified statement on

the GRP-MILF peace process, saying that non-governmental organizations only represent themselves and not any of the 18 tribes and 8 sub-tribes of indigenous peoples in Mindanao. Muntawil further noted that GRP-MILF negotiators have already agreed to extend indigenous peoples the right of free choice whether to include or exclude themselves in a Bangsamoro Juridical Entity, and that this free choice option cannot be gauged by the mere adoption of resolutions.

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Lack of prior consultation?  
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¶6. (C) According to GRP Peace Negotiations Panel Secretariat Director Ryan Sullivan, MILF negotiators had provided the GRP Peace Panel during the 12th Round of Exploratory Talks in Kuala Lumpur May 2-4 with a list of "Certificates of Ancestral Domain" for 697 barangays (districts) outside the Autonomous Region in Muslim Mindanao that were populated by indigenous peoples. The MILF representatives further claimed that the indigenous peoples in these areas had agreed during consultations to become part of a Bangsamoro Juridical Entity, but the new statement from the Bukidnon meeting now seemed clearly to indicate that such consultations had not taken place, he commented.

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Comment  
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¶7. (C) The already tricky issue of ancestral domain remains a sticking point in the informal talks between the GRP and MILF. It will take enormous creativity and patience to resolve competing claims among Muslims themselves -- notably

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from ARMM officials as well as leaders of the Moro National Liberation Front -- as well as by Christian settlers, most of whose families have been in Mindanao for decades or even generations. The added complication of the rights of indigenous peoples will now further complicate this process of negotiation.

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Text of Unified Statement  
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¶8. (SBU) The text of the statement issued during the Mindanao Indigenous Peoples Summit July 24-26 follows:

We, Leaders and representatives of the Indigenous Peoples/Indigenous Cultural Communities who work for peace and development in our Ancestral territories, hereby declare our unified position regarding the important element of the peace talks between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) which is the identification of the coverage of the Bangsamoro Homeland in Mindanao based on the following:

¶1. That based on our histories, our ancestral domain and territories, existed peacefully based on the sacred agreements between Apu Mamalu and Tabunaway and other ancestors that were executed through the traditional peace pacts known as Tampuda hu Balagen, Sapa, Pakang, Diyandi, Saklanlitu, and other cultural processes;

¶2. That we, the Indigenous Peoples/Indigenous Cultural Communities, lived in a culture, beliefs and principles that are totally distinct from the cultures, beliefs, religion and principles of our Moro brothers;

¶3. That we, the Indigenous Peoples/Indigenous Cultural Communities, govern our territories based on our customary laws duly recognized under the laws of the Republic of the Philippines and submitting our territories under the Bangsamoro Homeland will weaken our desire for self

determination and free existence as peoples;

¶4. That we, the Indigenous Peoples/ Indigenous Cultural Communities, utilize the natural resources inside our territories based on our customary laws duly recognized and submitting our territories under the Bangsamoro Homeland will destruct our customary use of natural resources inside our territories;

¶5. That, submitting the territories of the Indigenous Peoples/Indigenous Cultural Communities under the Bangsamoro Homeland will violate the traditional agreements between Apu Mamalu and Tabunaway and other ancestors and will destroy the brotherhood that is highly preserved and respected by the tribes especially that this intention did not undergo a sincere consultation, information, or agreement;

¶6. That many of us, the Indigenous Peoples/Indigenous Cultural Communities, had undergone sad experiences and relationships against our Moro Brothers because of several incidence of attacks in our communities that resulted to the death of our constituents and these conflicts remain unsettled until today;

¶7. That we, the Indigenous Peoples/Indigenous Cultural Communities, through peaceful means of struggles, gained recognition, respect and protection under the Philippine Constitution, Republic Act No. 8371 known as IPRA (Indigenous Peoples Rights Act) including the international policies and agreements of the United Nations, thus submitting ourselves to the administration of the Bangsamoro Homeland will destroy and defeat our intention and mandate of the law and will result in the loss of our cultures and identities;

¶8. That, the submission the territories of the Indigenous Peoples/Indigenous Cultural Communities under the jurisdiction of the Bangsamoro Homeland has no structure or organizational basis of the free and effective participation of our communities and nations;

¶9. That we, the Indigenous Peoples/Indigenous Cultural Communities, possess titles that identified our communities and we can never accept the titles Bangsamoro because this was never indicated in our oral and written history and this will destroy the Native Titles that we uphold as basis our cultural rights;

¶10. That, submitting ourselves to the Bangsamoro Homeland

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has no sufficient guarantee for peace and unity between the Moro and the Indigenous Peoples because the group of the Moro civil society, ordinary citizens, academe, businessmen and politicians have not demonstrated their strong understanding and unity;

Therefore based on the above stated reasons, we the representatives and leaders of the Indigenous Peoples, based on our free exchange and sharing of ideas and experiences, hereby unite our strong opposition for the inclusion of our Ancestral Domains/Ancestral Lands into the Bangsamoro Homeland.

Furthermore, that we Indigenous Peoples/Indigenous Cultural Communities will continue to uphold sacred agreements that served as basis of the recognition, identification and respect of our Ancestral Domains/Ancestral Lands in accordance with the sacred processes of the traditional peace pacts known as Tampuda hu Balagen, Diyandi, Pakang, Sapa, and other cultural peace processes.

Finally, we the Indigenous Peoples/Indigenous Cultural Communities, call the attention of the GRP and MILF Peace Panel and the Third Party represented by the Malaysian Secretary to give considerable attention and consideration on

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our unified position in order to truly achieve lasting peace and development in the Island of Mindanao.

In testimony hereof, we hereby proclaim our position stated above in this sacred ritual and affix our signatures through the guidance of the spirit our ancestors and the Spirits of nature that are sources of our lives and development in the presence of the public people as witnesses of the above-stated position.

Signed by the United Indigenous Peoples/Indigenous Cultural Communities of Mindanao this 24th day of July 2006 at Tulugan, Sungko, Lantapan, Bukidnon.

End Text

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<http://www.state.sgov.gov/p/eap/manila/index.cfm>

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